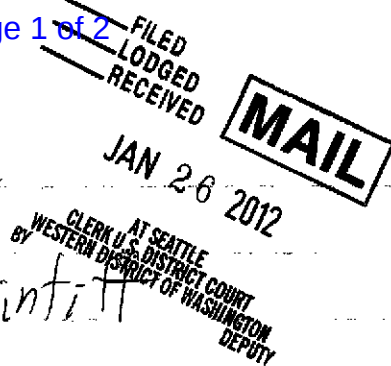


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United States District Court for the  
Western District of Washington  
David Stebbins Plaintiff

vs Case No. 11-1362  
Microsoft Corporation Defendant

## MOTION FOR RECONSIDERATION

Comes now, pro se Plaintiff David Stebbins, who respectfully submits the following motion for reconsideration ~~as~~ as to the court's dismissal of my case.

I have read the local rules, and I know that motions for reconsideration are not favored. However, this court really did overlook something essential. It overlooked the time-barred argument.

I knew that overlooking that argument would be the only way I could possibly loose the case, and lo and behold, the court, in its per curiam, never even so much as mentioned the time-barred argument, let alone thoroughly rebuked it.

Here is the summary of this argument:

- The case of MBNA ~~vs~~ America Bank v. Miles which binds this court by way of the Erie Doctrine says that the 3-month time limit to move to vacate an arbitration award applies even in the face of a challenge to the arbitration agreement.

- The Uniform Arbitration Act says the same, and is valid by way of in pari materia.

- It is the public policy of the statute of limitations,

not the policy of arbitration, that justifies this law.

If I may be a tad bit blunt, I think it is rather convenient that the court never even brought the time-barred argument up. I can understand that the case is uncomfortable, given the stakes at hand, but that is no excuse for manifestly disregarding the law, is it?

Wherefore, premises considered, I respectfully pray that the court reverse its previous decision and enter judgment in my favor. It is so requested on this 20th day of January, 2011.

David Stebbins  
David Stebbins  
5800 Law Dr.  
Harrison, AR 72601

Certificate of Service

A copy of this ~~case~~ motion has been served on the defendant by allowing them to view it on ECF.

David Stebbins  
David Stebbins  
5800 Law Dr.  
Harrison, AR 72601